

Maine Revised Statutes

Title 39-A: WORKERS' COMPENSATION

Enacted by PL 1991, c. 885, Pt. A, §8

Chapter 1: GENERAL PROVISIONS Enacted by PL 1991, c. 885, Pt. A, §8

§103. COMMON-LAW DEFENSES LOST

In an action to recover damages for personal injuries sustained by an employee arising out of and in the course of the employee's employment, or for death resulting from such injuries, it is not a defense to an employer, except as hereinafter specified: [1991, c. 885, Pt. A, §8 (NEW); 1991, c. 885, Pt. A, §§9-11 (AFF).]

1. Employee negligent. That the employee was negligent;

[1991, c. 885, Pt. A, §8 (NEW); 1991, c. 885, Pt. A, §§9-11 (AFF) .]

2. Fellow employee negligent. That the injury was caused by the negligence of a fellow employee; or

[1991, c. 885, Pt. A, §8 (NEW); 1991, c. 885, Pt. A, §§9-11 (AFF) .]

3. Employee assumed risk. That the employee has assumed the risk of the injury.

[1991, c. 885, Pt. A, §8 (NEW); 1991, c. 885, Pt. A, §§9-11 (AFF) .]

SECTION HISTORY

1991, c. 885, §A8 (NEW). 1991, c. 885, §§A9-11 (AFF).

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